DOCUMENT RESUME

ED 401 668 EC 305 158

AUTHOR Obiakor, Festus E.; And Others
TITLE The Placement of Exceptional Students in Nigeria and the United States of America.
PUB DATE 7 Jul 93
NOTE 14p.; Paper presented at the Biennial Conference of the International Association of Special Education (3rd, Vienna, Austria, July 7, 1993).
PUB TYPE Information Analyses (070) -- Speeches/Conference Papers (150)

EDRS PRICE MF01/PC01 Plus Postage.
DESCRIPTORS *Comparative Education; *Disabilities; Disability Identification; Due Process; Educational Legislation; *Educational Policy; Elementary Secondary Education; Federal Legislation; Foreign Countries; *Inclusive Schools; Individualized Education Programs; Mainstreaming; Parent Participation; Referral; *Special Education; Student Evaluation; *Student Placement
IDENTIFIERS *Nigeria; United States

ABSTRACT

This report compares and contrasts special education and least restrictive environment requirements for children with disabilities in Nigeria and the United States. The implementation of special education policies in both countries is discussed, including policies in the following areas: referral and identification, nondiscriminatory assessment, parental consent, procedural safeguards, least restrictive environment, and individualized education programming. Results of the comparison found the focus in Nigeria to be indiscriminate integration while in the United States the direction is full inclusion based on the least restrictive environment. Recommendations are offered for Nigeria's education system, such as a mandatory special education law, procedural safeguards and due process, training of specialists and related professionals, and maximizing student potential. Recommendations for the United States focus on putting laws into practical perspectives, accountability of special education personnel and programs, and appropriate placements. (Contains 18 references.) (CR)

****
* Reproductions supplied by EDRS are the best that can be made *
* from the original document. *
****

U.S. DEPARTMENT OF EDUCATION
Office of Educational Research and Improvement
EDUCATIONAL RESOURCES INFORMATION CENTER (ERIC)
☑ This document has been reproduced as received from the person or organization originating it.
☐ Minor changes have been made to improve reproduction quality.
• Points of view or opinions stated in this document do not necessarily represent official OERI position or policy.

ED 401 668

THE PLACEMENT OF EXCEPTIONAL STUDENTS IN NIGERIA AND THE UNITED STATES OF AMERICA

FESTUS E. OBIAKOR, PH.D.
EMPORIA STATE UNIVERSITY

WILLIE A. BRAGG, PH.D.
VIRGINIA UNION UNIVERSITY

GREGORY P. MALTBY, ED.D.
NEW MEXICO STATE UNIVERSITY

EC 305158

PERMISSION TO REPRODUCE AND DISSEMINATE THIS MATERIAL HAS BEEN GRANTED BY

F. Obiakor

TO THE EDUCATIONAL RESOURCES INFORMATION CENTER (ERIC)

THIS ARTICLE IS THE RESULT OF A PAPER PRESENTED AT THE INTERNATIONAL ASSOCIATION OF SPECIAL EDUCATION THIRD BIENNIAL CONFERENCE, VIENNA, AUSTRIA, JULY 7, 1993. SPECIAL THANKS TO REBECCA L. ATENCIA, ROBINETTE P. JONES, IRMA A. PLAZA FOR THEIR SUPPORT.

BEST COPY AVAILABLE

The Placement of Exceptional Students in Nigeria and the United States of America

The goal of special education programs is to place exceptional students in least restrictive environments that would allow them to maximize their potential. In Nigeria, the institution of Section 8 of the National Education Policy in 1977 expanded programs to exceptional learners with the prime goal of helping these individuals to be productive elements of society. In the United States of America, the promulgation of Public Law (PL) 94 - 142 led to a total mobilization stage for exceptional learners to maximize their potential. However, in these two countries (one developed and the other developing), the placement of exceptional students in school programs has continued to be a burning issue. In both countries, there have been cases of indiscriminate mainstreaming, institutionalization, integration and normalization practiced without respect for specific needs of exceptional learners. In this article, the authors discuss the placement of exceptional students in Nigeria and the United States of America. Embedded in this discussion are dichotomies that exist between developed and developing nations. Additionally, recommendations are offered to foster special education in least restrictive environments in both Nigeria and the United States of America.

Special Education in Nigeria and the United States

In Nigeria, special education is an integral part of overall educational programs. According to Ogbue (1975), there is no national policy in special education and the responsibility of special education is left to the discretion of individual states. She stated that (a) 27% of the number of teachers involved in special education are trained specialists, (b) no recognized facilities exist for pre-school "handicapped" children in all categories of exceptionalities, (c) annual subventions came primarily from the Ministries of Education, (d) funding came from individual gifts, local, international and voluntary agencies, and (e) no facilities exist for screening and technical maintenance of equipment and teaching aids. In the last decade, Nigerias, education has witnessed tremendous improvements in the last decade despite cultural, socioeconomic and political constraints (Abang, 1988; Ihunnah, 1984; Obiakor, Ihunnah & Jones, 1989; Obiakor, Maltby & Ihunnah, 1990; Ogbue, 1981; Oluigbo, 1986). Apparently, these improvements have stemmed

from the institution of Section 8 of the National Policy on Education which since 1977 has provided support mechanisms for exceptional individuals at all levels. Obiakor, Aramburo, Maltby and Davis (1991) indicated that "there is no form of accountability on how the subventions and gifts are distributed to needy exceptional students "(p. 346). They added that "this fact should not be a surprise -- the fact remains that there is no mandatory law that would have forced individuals to be accountable "(p. 346).

In the United States, special education started with a series of advocates, litigations and legislations which resulted in the establishment of PL 94-142 in 1975. The fullest extent of this law has been stretched and used to meet the needs of exceptional students. Recently, the United States has instituted many new legislations to enhance the well-being of exceptional students. PL 99-457 of 1986 was an amendment of PL 94-142 to address special education concerns of children from birth to five years of age. In 1990, the Individuals with Disabilities Education Act (PL 101 - 476) was instituted to respond to the incessant needs of exceptional individuals. With this law, the term "handicap" has become a taboo -- at least, there is a real understanding that individuals can be disabled or impaired and not be handicapped. This law has attempted to re-visit the traditional categories of exceptionalities and reiterate fundamental concepts embedded in the Education of All Handicapped Children's Act (PL 94-142). In addition, it addresses the issues of "who," "when," "why," and "how" to admit exceptional individuals into school programs by (a) referral and identification, (b) non-discriminatory assessment, (c) parental consent, (d) procedural safeguards, (e) placement in the least restrictive environment, and (f) individualized education programming. These concepts have impacted not only special education programs, but all aspects of professional training, including related services.

It is apparent that Nigeria and the United States have tried to establish policies to advance the well-being of exceptional individuals. Also apparent are some educational, social, economic and political discrepancies between both countries. These decrepancies have affected "how," "why," and "when" policies are put into practice. In the classical work of Staley (1963), the disparities between developed and developing countries were portrayed. For instance, while developing countries (e.g., Nigeria) have low level economy, transitional socio-political system and a low percentage of literacy, most developed countries (e.g. U.S.A.) have high-

level economy, well organized and stable socio-political system and a high rate of literacy. In Nigeria, litigation and legislation pertinent to special education are almost non-existent. The country has been plagued by successful and unsuccessful military coups. According to Obiakor, Aramburo, Maltby and Davis (1991), "it has been ruled by six military and two constitutionally elected governments" (p. 344). On the contrary, the United States has enjoyed a sound democracy along with stable socio-economic and political programs. Logically, the more stable the government, the easier it is to establish solid educational programs. It is no surprise that in the United States the federal government plays an important part in establishing stable special educational legislations and in allowing room for a myriad of litigations to advance the rights of disabled individuals.

Placement of Exceptional Learners

As indicated earlier, Nigeria instituted Section 8 of the National Policy on Education in 1977 to provide opportunities for disabled individuals to maximize their potential. In the United States, Section 504 of the Vocational Rehabilitation Act (PL 93 -112) of 1973 and PL 94 - 142 of 1975 were instituted to provide services for disabled individuals. These legislations provided the catalyst for a total mobilization stage for disabled persons. The placement of exceptional individuals in both countries will be explored under the following sub-headings:

1. Referral and identification
2. Nondiscriminatory assessment
3. Parental consent
4. Procedural safeguards
5. Placement in the least restrictive environment
6. Individualized education programs

Referral and Identification

A series of procedures are followed before students are placed in special education programs. The first step is referral. According to Stickland and Turnbull (1990), referral may be initiated by any individual or agency familiar with the student. Although a referral is frequently initiated by the student's teacher, it may also be intiated by the student's parents, or representatives from day care centers, medical facilities or other community agencies. In Nigeria, exceptional students are indiscriminately integrated into school programs. The argument is that disabled

individuals are eventually expected to function in the society. This "survival of the fittest" mentality is not questioned because of the level of literacy of parents and the general population. Democracy, no doubt, is a mere theory under a military rule. Individuals frequently are not aware of their rights, and those who are aware are afraid of consequences. Without appropriate referral and identification of disabled individuals, it seems difficult to have an appropriate placement.

In the United States, the referral process provides a suitable method for documenting and gathering systematic data for record keeping and reporting purposes. PL 94-142 enhanced the referral process. Although, there is a variation of practice among States and districts, the referral process is a procedure used throughout the United States. This process is helped by the fact that parents know their rights; and they are free to litigate when their children are inappropriately identified or targeted for inappropriate placements.

Nondiscriminatory Assessment

Because of the lack of federal mandatory laws in special education in Nigeria, there has not been an effective effort to develop instruments to assess the strengths and weaknessess of special students. The present oil-glut hampers the provision of funds for research, for example, in assessment instruments that could identify students from heterogeneous cultures of Nigeria (Obiakor & Maltby, 1989). In the United States, there has been considerable support for research, especially in the area of assessment. However, assessment instruments have been consistently criticized for their lack of reliability and validity. In other words, these instruments have been found to be ineffective in assessing the strengths and weaknesses of at-risk students. Some instruments, however, have produced consistent results, but have failed to measure what they are supposed to measure. In spite of these problems, P.L. 94-142 or P.L. 101-476 mandates nondiscriminatory assessment of special students. As Obiakor, Bragg and Maltby (1993) noted "Assessment is the fundamental ingredient of the whole process of special education. Observation, screening, referral, evaluation, identification, and individualized education programs comprise the assessment process" (p. 4). Apparently, an adequate assessment ensures an adequate placement of disabled individuals. When these individuals are inadequately placed, they carry with them the negative baggages of labels and categories.

Parental Consent

Parents play an active role in the placement process. From the very first time a child is referred, his/her parents are involved. As indicated earlier, there is a high level of illiteracy in Nigeria. Most parents are not aware of their rights. In some cases, parents do not wish to pursue the education of their disabled child -- to these parents, having the disabled child is a curse. Hence, students are indiscriminately integrated in classes without parental consent or knowledge of appropriateness of classroom placement. The lack of a mandatory law in special education makes it difficult for parents to respond to the appropriateness of their child's placement and educational program (Obiakor, Aramburo, Maltby & Davis, 1991).

In the United States, the parent/guardian is actively involved in the special education process. PL 94-142 makes parental involvement uniquely important in the following ways:

1. The parent must be fully informed of all information pertinent to the process for which consent is being sought, in his or her native language, or other mode of communication.
2. The parent must give written consent before a child may be evaluated.
3. The parent must understand that the granting of consent is voluntary and may be revoked at any time.
4. Written notice must be given to parents of a child with disabilities at a reasonable time before proposing to initiate or change the identification, evaluation, or education placement of the child.

Procedural Safeguards

In Nigeria, there is no law that protects exceptional individuals, let alone procedural safeguards. As previously mentioned, the illiteracy rate is high, and most citizens and parents are unaware of their fundamental rights. Procedural safeguards and due process are impossible in Nigeria because of its military government. In addition, the "do-as-I-say" philosophy prevails in education. One is not expected to disrespect authority figures (e.g., special educators, service providers). Such a behavior is against the traditional customs.

In the United States, there are procedural safeguards under PL 94 - 142. These safeguards include mediation, impartial hearing, appeal process and surrogate parent. It is apparent that the right of an exceptional child to a free and appropriate public education is rooted in the very cornerstone of American democracy. The United States Constitution, the supreme law of the United States of America, establishes the form of government of the United States as well and the rights and liberties of its citizens (McLintock, 1973). Due process, the foundation of all special education services, is based on Section One of the 14th Amendment of the United States Consitution (Shrybman, 1982). The mandates of the law have been reinforced by some major decisions of the Supreme Court in response to litigation filed on behalf of exceptional children by their parents and advocates. Exceptional children and their parents can also find adjudication, when needed, by exercising their right to due process.

It is important to note, however, that the procedures for due process are costly and time consuming. The time required for the process can be a considerable hinderance to the administrator who also has the responsibility for overseeing and administering the entire special education program of the district. Critics have assailed due process as a costly expenditure that serves a relatively small group of children in comparison to the massive number of children with disabilities who are currently served, as well as those who are either unserved or underserved. This criticism notwithstanding, due process is based on the philosophy that all parties involved in a decision which affects an individual's life, liberty, or property are entitled to (a) speak on their own behalf, and (b) request a face-to-face meeting where they can have the fairest opportunity to dispute others' point of requirements for the conduct of special education. Apparently, these requirements encompass the basic elements determined by the Supreme Court of the United States.

Placement in the Least Restrictive Environment

Special education placement is frequently geared toward programs that maximize the potential of exceptional individuals. However, this has not been the case with many special education placements in Nigeria and the United States. In some situations, students have been institutionalized -- this kind of segregationary program hampers self-concept development and the ability to function in mainstream society. The procedure of indiscriminate integration or full inclusion into regular programs is not the solution. Some years ago, Mba (1981) remarked

that integration can be a boon to one child with disabilities and a curse to another. Bakere (1992), in his work, described problems of integration in Nigeria. They include (a) large class size and inadequate placement procedures, (b) inadequate planning and preparation of teachers, (c) lack of infrastructional facilities, (d) lack of materials/equipments, and (e) attitudinal problems. As Bakere pointed out, integration is "an ideal shared by those who are well-versed in the problems involved. Idealism must, however, be combined with realism" (p. 260).

In the United States, placement decisions by law are made through a multidisciplinary team (M-Team) or the Educational Appraisal and Review Committee (EARC). This team or committee includes a psychologist, educational diagnostician, teacher, an administrator of special education, a physician (if requested), parent(s), student (when appropriate), and other specialists who work with the student. Students usually are placed in mainstreamed classrooms, resource rooms and self-contained classrooms. The objective is to place students in nonrestrictive educational environments which meet their academic and social needs. Today, full inclusion is the issue in the United States. The question is, Does full inclusion mean responding to the unique needs of all students, irrespective of their disabilities, impairments, cultures, languages, etc?

Individualized Education Programming

Instructional programs are usually designed to respond to placement options of exceptional learners. When students are indiscriminately integrated in Nigeria, their individualities are neglected from referral to instruction. Hence, students are not identified properly and do not receive adequate instructions once placed in large classroom environments. Three major questions come to mind: How trained are teachers in Nigeria to respond to the unique needs of individual students? How can specific needs of exceptional students in Nigeria be met in large "factory" classrooms? How can materials be adapted or be made available to address specificity to meet the unique needs of exceptional learners? Apparently, in Nigeria, these questions are enigmas.

In the United States, state and federal mandates ensure placements of exceptional learners in least restrictive environments. PL 94 - 142 and PL 101 - 476 mandated an Individualized Educational Program (IEP) for every student served in special education programs. The IEP must contain the current functioning level of the student, as well as annual goals, short-term objectives, and services to be

provided to the student (Smith, Price & Marsh, 1986). In addition to the identification of services provided, the IEP must include projected dates for initiation and duration of services, as well as appropriate objective criteria and evaluation procedures and schedules for determining, on at least an annual basis, whether short term instructional objectives are being achieved. Other regulations mandated by PL 94-142 include:

1. Written document in place before special education and related services are provided.
2. Implementation of IEP as soon as possible following the committee meeting.
3. Initiating and conducting meetings by public agency for the purpose of developing, reviewing, and revising a child's IEP on an annual basis.

Recommendations

It is apparent that an exceptional student cannot be placed unless he/she is referred and identified. While the focus in Nigeria is indiscrimate integration, the direction in the United States is full inclusion based on the least restrictive environment. Integration and full inclusion are to prepare the student for normality and to assist him/her in maximizing the full potential. There are good and bad attributes of the above mentioned placement options. Obiakor, Bragg and Maltby (1993) questioned, "Does integration mean psychological integration in mainstream program? Can an integrated classroom be a least restrictive environment for an exceptional learner?" (p. 8). The fact remains that an integrated classroom can be a least restrictive environment for one exceptional student and a very restrictive environment for another exceptional student. We believe that the best placement must be the most appropriate placement which does not restrict the exceptional learner. This kind of placement must be stabilized through appropriate referral and identification, nondiscriminatory assessment and adequate instructional procedures.

Based on the circumstances in Nigeria, the following recommendations are appropriate:

1. Section 8 of the National Policy on Education is not enough. There should be a mandatory law (Obiakor, 1987). The question is, How can this law be possible without a constitutionally

elected government?

2. Procedural safeguards and due process should be infused into educational programs, particularly "special" programs. Again, procedural safeguards and due process are impossible in a military government (Obiakor, Aramburo, Maltby & Davis, 1991).
3. The economic situation in Nigeria should not hamper the training of specialists and related professionals. The more educated the people are, the more economically viable and socially aware they become (Obiakor & Maltby, 1989).
4. Integration is useful if it responds to the least restrictive environment of the student. This means that programs should be geared toward environments which do not restrict the student's ability to maximize his/her potential. This will only be possible when there are appropriate referral, identification, assessment and instructional procedures (Obiakor, Aramburo, Maltby & Davis, 1991).

The special education system in the United States calls for the following recommendations:

1. The laws which have been promulgated in the United States need to be put into practical perspectives.
2. There should be accountability of special education personnel and programs to ensure appropriate placements.
3. An appropriate placement must be a result of appropriate referral, identification, assessment and instructional procedures. They all should go hand-in-glove.

Perspective

The placement of exceptional students has continued to be a major issue in special education all over the world. In Nigeria, exceptional students are either indiscriminately integrated/mainstreamed into regular programs or institutionalized/segregated in restrictive environments. In the United States, the focus is on the placement that is least restrictive--this placement option has received tremendous attention especially today when people are advocating for a

full inclusion of exceptional students. In our opinion, whether a placement option is normalization, mainstreaming, integration or full inclusion, the best possible placement should be a least restrictive environment for an exceptional learner where his/her unique needs are considered and addressed. In summary, careful planning, adequate training of personnel, along with appropriate referral, identification, placement and instruction are necessary if exceptional individuals are to survive in our ever changing world.

References

Abang, T. B. (1988). Disablement, disability, and the Nigerian society. Disability, Handicap and Society, 3 (1), 71-77.

Bakere, C. A. (1992). Integration in education. The case of education for the handicapped children in Nigeria. International Journal of Special Education, 7 (3), 255-260.

Ihunnah, A. C. (1984). The status of special education in developing country: Nigeria. Unpublished doctoral dissertation, Virginia Polytechnic Institute and State University, Blacksburg, VA.

Mba, P. O. (1981). Social concerns for the integration of the handicapped in the society. Paper presented at the meeting on the Elaboration and use of social indications of disabled persons, Brussels, Belgium.

McLintock, G. (1973). United States Constitution. In World Book Encyclopedia, 20, 126-146.

Obiakor, F. E. (1987). Cultural, socio-economic, and political influences on special education in Nigeria. Resources in Education, 22 (12), 76 (ERIC Document Reproduction Services No. ED 286 381).

Obiakor, F. E., Aramburo, D., Maltby, G. P., & Davis, E. (1991). Comparison of special education in Nigeria and the United States of America. International Journal of Special Education, 6 (3), 341 - 352.

Obiakor, F. E., Bragg, W. A., & Maltby, G. D. (1993, July). Placement of exceptional students in Nigeria and the United States of America. Paper presented at the International Association of Special Education Third Bienniel Conference, Vienna, Austria.

Obiakor, F, E., Ihunnah, A. C., & Jones, P. R. (1989, April). Special education in Nigeria: The need for consultants and education planners. Paper presented at the 67th Annual International Convention of the Council for Exceptional Children (CEC), San Francisco, CA.

Obiakor, F. E., & Maltby, G. P. (1989). Pragmatism and education in Africa: Handbook for educators and development planners. Dubuque, IA: Kendall/ Hunt Publishing Company.

Obiakor, F. E., Maltby, G. P., & Ihunnah, A. C. (1990, April). Special education policies in Nigeria: Cultural, socio-economic and political issues. Paper presented at the 68th Annual International Convention of the Council for Exceptional Children (CEC), Toronto, Canada.

Ogbue, R. M. (1975). A survey of special education facilities in Nigeria. Lagos, Nigeria: Federal Ministry of Nigeria.

Ogbue, R. M. (1981, December). Experiments in integration: The Nigerian experience. Educafrica, pp. 136-152.

Oluigbo, F. C. (1986). Statistics of special education development in Nigeria, 1986: A case study. Lagos, Nigeria: Federal Ministry of Education, Special Education.

Shrybman, T. A. (1982). Due process in special education. Rockville, MD: Aspen System.

Smith, T. E., Price, B. J., & Marsh, G. E. (1986). Mildly handicapped children and adults. St. Paul, MN: West Publishing Company.

Staley, E. (1963). Guidelines in the process of change. Paper presented at the United Nations Educational Scientific and Cultural Organization (UNESCO) Conference, Geneva, Switzerland.

Strickland, B. B., & Turnbull, A. P. (1990). Developing and implementing Individualized Education Programs (3rd ed.). Columbus, OH: Merrill.